

Practitioner's Docket No. MBIO99-057CP2RCEM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Samantha J. Busfield et al.

Application No.: 09/503,387

Group No.: 1644

Filed: February 14, 2000

Examiner: Huynh, Phuong N.

For: Glycoprotein VI and Uses Thereof

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE AN OFFICE ACTION

Sir:

- Responsive to the Notice of Abandonment for failure to respond to the Office Action dated November 19, 2003 issued in the above-identified application, Applicants respectfully request that the holding of abandonment be withdrawn in view of the fact that the Office Action was not received by Applicants.
- The undersigned states that the Office Action was not received by the undersigned, and attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received. A copy of the docket record where the Office Action would have been entered had it been received is attached as Exhibit A (3 pages).

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CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10\*

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"  
Mailing Label No.

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Date: September 10, 2004

Sean Hunziker

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action--page 1 of 2)

**Practitioner's Docket No. MBIO99-057CP2RCEM**

3. Date of Filing of this Petition after Abandonment  
This petition is being filed within 2 months after the Applicants were first notified of abandonment.
4. In consideration of the above, it is respectfully requested that the holding of abandonment be withdrawn, that the outstanding Office Action be re-mailed, and that the period for response be restarted.

**ADDITIONAL PAPERS**

5. Enclosed herewith are  
Copy of the docket record where the non-received Office Action would have been entered had it been received and docketed (3 pages)

**FEE**

6. It is believed no fee is due in connection with this submission. However, in the event any petition fee, extension fee and/or additional fee is required, please charge Account No. 501668.

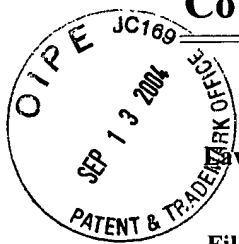
A duplicate of this petition is attached.

<u>September 10, 2004</u>	MILLENNIUM PHARMACEUTICALS, INC. By <u>Mario Cloutier</u> Mario Cloutier Limited Recognition under 37 C.F.R. §10.9(b) 40 Landsdowne Street Cambridge, MA 02139 Telephone – (617) 577-3522 Facsimile – (617) 551-8820
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## Country Application

Tuesday, September 07, 2004

Page: 1



Case Number: MBIO1999-057

Country: US

SubCase: C2

Law Firm: Millennium Pharmaceuticals

United States of America

Law Firm Ref. Number: MBIO99-057CP2M

Case Type: CIP

Application Status: Pending

File Reference Number: MBIO99-057CP2RCEM

Title: GLYCOPROTEIN VI AND USES THEREOF

Attorney(s): JMS

MAC

CMW

Application Number: 09/503387

Filing Date: 14-Feb-2000

Publication Number:

Publication Date:

Patent Number:

Issue Date:

Parent Case Number: 09/454824

Parent Date: 06-Dec-1999

Priority Number: 09/345468

Priority Date: 30-Jun-1999

Parent/PCT Number:

Parent/PCT Date :

Parent Patent Number:

Parent Issue Date :

Tax Schedule: LE

Expiration Date:

Confirmation Number: 6531

Patent Term Adjustment: 0

Agent:

Agent Reference #:

Program: MBIO

MBIO

Billing Code: 13274-99

MLN:

Stage:

MBIO99-057CP2RCEM

**List Of Actions**

Action(s) Due	Due Date		Action Taken
1mo Rem: Missing Parts Due	05-May-2000	Reminder	01-Jun-2000
Information Disclosure Stmt	14-May-2000	Due Date	01-Jun-2000
Missing Parts Due	05-Jun-2000	Due Date	01-Jun-2000
1st Extension	05-Jul-2000	Due Date	01-Jun-2000
2nd Extension	05-Aug-2000	Due Date	01-Jun-2000
Foreign Filing Reminder	14-Aug-2000	Due Date	30-Jun-2000
3rd Extension	05-Sep-2000	Due Date	01-Jun-2000
4th Extension	05-Oct-2000	Due Date	01-Jun-2000
Final Deadline	05-Nov-2000	Final	01-Jun-2000
Preliminary Amendment Filed	24-Jan-2001	Due Date	24-Jan-2001
Supplemental IDS	24-Jan-2001	Due Date	24-Jan-2001
Restriction DUE (5 ext poss)	29-Jan-2001	Due Date	24-Jan-2001
Foreign Filing Due	14-Feb-2001	Final	30-Jun-2000
Restriction w/1mox (1/5)	28-Feb-2001	Due Date	24-Jan-2001
Restriction w/2mox (2/5)	29-Mar-2001	Due Date	24-Jan-2001
Restriction w/3mox (3/5)	29-Apr-2001	Due Date	24-Jan-2001
Restriction DUE (5 ext poss)	20-May-2001	Due Date	20-Jun-2001
Restriction w/4mox (4/5)	29-May-2001	Due Date	24-Jan-2001
Restriction w/1mox (1/5)	20-Jun-2001	Due Date	20-Jun-2001
Restriction FINAL w/5mox	29-Jun-2001	Final	24-Jan-2001
Restriction w/2mox (2/5)	20-Jul-2001	Due Date	20-Jun-2001
Restriction w/3mox (3/5)	20-Aug-2001	Due Date	20-Jun-2001
Restriction w/4mox (4/5)	20-Sep-2001	Due Date	20-Jun-2001
Restriction FINAL w/5mox	22-Oct-2001	Final	20-Jun-2001
Check for Sequence Listing Due	26-May-2002	Reminder	26-Sep-2002
Response Due	26-May-2002	Reminder	26-Sep-2002
Response Due	26-Jun-2002	Due Date	26-Sep-2002
Response w/1mox (1/3)	26-Jul-2002	Reminder	26-Sep-2002
Response w/2mox (2/3)	26-Aug-2002	Reminder	26-Sep-2002
Response FINAL in 2-weeks	10-Sep-2002	Reminder	26-Sep-2002
Response FINAL w/3mox (3/3)	26-Sep-2002	Final	26-Sep-2002
Official F/R Received	03-Oct-2002	Due Date	03-Oct-2002
1 Month to Due Date Advantage	17-Jan-2003	Reminder	17-Apr-2003
Advantage Due Date	17-Feb-2003	Reminder	17-Apr-2003
3 Month Due Date	17-Mar-2003	Due Date	17-Apr-2003
Notice of Appeal	17-Mar-2003	Due Date	17-Apr-2003
Revocation of POA filed	14-Apr-2003	Due Date	16-Apr-2003

## Country Application

Tuesday, September 07, 2004

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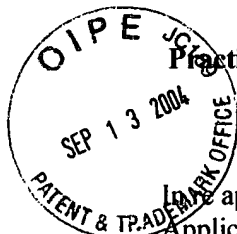
1st Extension	17-Apr-2003	Reminder	17-Apr-2003
Notice of Appeal 1st Extension	17-Apr-2003	Reminder	17-Apr-2003
Docket Appeal Brief Due Date	18-Apr-2003	Due Date	26-Apr-2003
Notice of Accept of POA rec'd	28-Apr-2003	Reminder	16-Apr-2003
2nd Extension	17-May-2003	Reminder	17-Apr-2003
Appeal Brief Due	17-May-2003	Reminder	17-Sep-2003
Notice of Appeal 2nd Extension	17-May-2003	Reminder	17-Apr-2003
2 Weeks to Final Date	01-Jun-2003	Reminder	17-Apr-2003
6 Month Final Date	17-Jun-2003	Final	17-Apr-2003
Appeal Brief Due	17-Jun-2003	Due Date	17-Sep-2003
Notice of Appeal 6M Final Date	17-Jun-2003	Final	17-Apr-2003
Appeal Brief w/1mox (1/5)	17-Jul-2003	Reminder	17-Sep-2003
Appeal Brief w/2mox (2/5)	17-Aug-2003	Reminder	17-Sep-2003
Appeal Brief w/3mox (3/5)	17-Sep-2003	Reminder	17-Sep-2003
Postcard Received	17-Sep-2003	Due Date	17-Sep-2003
Appeal Brief w/4mox (4/5)	17-Oct-2003	Reminder	17-Sep-2003
Appeal Brief FINAL in 2-weeks	01-Nov-2003	Reminder	17-Sep-2003
Appeal Brief FINAL w/5mox	17-Nov-2003	Final	17-Sep-2003
Rec'd Fax from PTO w/OA	22-Jul-2004	Due Date	22-Jul-2004
Notice of Abandonment Rec'd?	22-Aug-2004	Reminder	19-Aug-2004
Petition to Revive Due Next Mo	16-Sep-2004	Due Date	
Petition to Revive FINAL	16-Oct-2004	Final	
Decision re: Abandonment rec'd	16-Aug-2005	Due Date	

User ID: hunziker

Date Created: 08-May-2000

Last Update: 24-Aug-2004

PAE  
IFW



Practitioner's Docket No. MBIO99-057CP2RCEM

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor application of: Busfield, Samantha J., et al.  
Application No.: 09/503,387 Group No.: 1644  
Filed: February 14, 2000 Examiner: Huynh, Phuong N.  
For: GLYCOPROTEIN VI AND USES THEREOF

**Mail Stop Petition**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL**

1. Transmitted herewith for this application is/are:
  - a. This Transmittal (3 pages - in duplicate);
  - b. Petition to Withdraw Holding of Abandonment Based on Failure to Receive an Office Action (2 pages);
  - c. Exhibit A - Docket Record (3 pages);
  - d. Statement of Limited Recognition under 37 C.F.R. 10.9(b) for Mario Cloutier (1 page); and
  - e. Return Postcard.

**STATUS**

2. Applicant is other than a small entity.

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

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**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

- ☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee" Mailing Label No. \_\_\_\_\_

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Date: September 10, 2004

Sean Hunziker

(type or print name of person certifying)

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**PETITION FOR EXTENSION OF TIME**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(3)) for a \_\_\_\_\_ month extension:

Fee: \$0.00

Extension fee due with this request \$0.00

If an additional extension of time is required, please consider this a petition therefor.

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Addit. Fee
Total	0	Minus	0	=	0	\$18.00 =	\$0.00
Indep.	0	Minus	0	=	0	\$86.00 =	\$0.00
First Presentation of Multiple Dependent Claims			0			\$290.00 =	\$0.00
						Total Addit. Fee	\$0.00

Total additional fee for claims required \$0.00

**FEE PAYMENT**

5. Charge Account No. 501668 the sum of \$0.00 (which includes the \$0.00 extension fee and the \$0.00 additional fee for claims). A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

6. If any additional extension and/or fee is required, charge Account No. 501668.  
If any additional fee for claims is required, charge Account No. 501668.

**Practitioner's Docket No. MBIO99-057CP2RCEM**

7. Correspondence Address

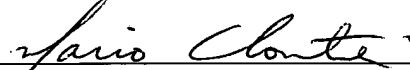
Direct all future correspondence to:

Customer Number 30405  
OR  
Intellectual Property Department  
MILLENNIUM PHARMACEUTICALS, INC.  
40 Landsdowne Street  
Cambridge, MA 02139

September 10, 2004

MILLENNIUM PHARMACEUTICALS, INC.

By



Mario Cloutier

Limited Recognition under 37 C.F.R. §10.9(b)

40 Landsdowne Street

Cambridge, MA 02139

Telephone – (617) 577-3522

Facsimile – (617) 551-8820





**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATE PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Mario Cloutier is hereby given limited recognition under 37 CFR, 10.9(b) as an employee of Millenium Pharmaceuticals to prepare and prosecute patent applications wherein Millenium Pharmaceuticals is the assignee of record of the entire interest in the invention claimed in the application. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Mario Cloutier ceases to lawfully reside in the United States, (ii) Mario Cloutier's employment with Millenium Pharmaceuticals ceases or is terminated, or (iii) Mario Cloutier ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

**Expires: March 1, 2005**

**Harry I. Moatz**  
**Director of Enrollment and Discipline**